



STATE OF IDAHO

**DEPARTMENT OF
ENVIRONMENTAL QUALITY**

Triennial Review Phase 1 - Prioritization

November 2005

Idaho Department of Environmental Quality (DEQ) has completed [Phase I \(Public Scoping\)](#) of its 2005-2008 triennial review of water quality standards. This phase entailed developing a preliminary list of topics for triennial review, obtaining public input, and selecting priority topics to carry forward through triennial review. Priority topics that are to be carried forward in this triennial review were selected by DEQ surface water staff based on a balance of DEQ priorities, EPA priorities, and perceived public priorities as well as an estimation of resources required for addressing each topic. Upon selecting the priority topics, DEQ devised potential action items for each topic. A brief discussion of each priority topic is provided below.

Temperature

DEQ will convene a group of individuals from around the state with technical and/or policy knowledge of water temperature issues. This group will participate in a meeting to discuss issues pertaining to temperature in Idaho, potential options to address these issues, and resource requirements of the various options. Goals of this meeting include selection of the best option to address temperature issues in Idaho and reach a common understanding of the resources and timelines for pursuing the selected option. This meeting is expected to occur in the winter of 2005/2006. Although rulemaking is not likely to result in the short-term, it is possible the DEQ will engage in temperature rulemaking in the future.

Toxics - Arsenic

DEQ originally proposed to update its human health criteria for arsenic in 2005 rulemaking (Docket No. 58-0102-0503); however, it was removed from the rule at the recommendation of the negotiated rulemaking committee. DEQ is currently gathering and assessing additional information pertaining to the economic impacts of implementing new arsenic human health criteria as well as to developing Idaho-specific criteria. If appropriate, rulemaking for arsenic may occur as early as the spring of 2007.

Low Flow and Application of Standards

DEQ will initiate rulemaking for low flow and application of standards in the spring of 2006. DEQ contracted the USGS to estimate low-flow statistics for ungaged sites and plans on using this information for determining the location of intermittent stream segments in Idaho. This work is expected to be completed in the fall of 2005. DEQ hopes to use this identification of non-perennial waters, along with other information, to set more appropriate expectations in the form of use designations and water quality criteria for these waters.

Miscellaneous

DEQ anticipates initiating rulemaking for general "housekeeping" items (such as clarification and consolidation of various definitions) in the fall of 2005. As part of this rulemaking, DEQ plans to clarify its criteria exceedance policy for assessing the beneficial use support status of the state's water bodies.

Mixing Zones

DEQ will use contract monies for the development of a mixing zone procedures document that will outline prudent steps for implementation of Idaho's mixing zone policies, building upon the "chemical, physical, and biological appraisal" requirement in current rule. This document is expected to be completed by June 2006. It is possible that rulemaking may be required to support desired guidance; however, this possibility can not be pre-determined.

This summarizes the actions DEQ plans to undertake through at least the 2007 fiscal year. Additional rulemaking or policy development may be entertained at the completion of these activities to address those issues which did not rise to the top of the list of priorities at this time.